



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** April 27, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Catherine VerEecke, Program Planner

**TITLE:** CONSENT: Special Use Permit for a Contractor's Yard & Mobile Home for a Watchman/Caretaker (CSU-20100009)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Approval

### **SUMMARY:**

At the March 3, 2010 public hearing, the County Planning Commission voted (6-0, Commissioner Melendrez excused) to recommend approval of the request for a Special Use Permit for a Contractor's Yard & Mobile Home for a Watchman/Caretaker on Tract C, Lands of William C Byers & Charlotte Lorra, located at 7535 2<sup>nd</sup> Street NW, zoned A-1 with a Special Use Permit for a Contractor's Yard, Wholesale of Materials for Fencing & Office, and containing approximately 2.22 acres. The decision was based on the following six (6) Findings and subject to the following eleven (11) Conditions.

#### **Findings:**

1. This is a request for a Special Use Permit for a Contractor's Yard & Mobile Home for a Watchman/Caretaker on Tract C, Lands of William C Byers & Charlotte Lorra, located at 7535 2<sup>nd</sup> Street NW, zoned A-1 with a Special Use Permit for a Contractor's Yard, Wholesale of Materials for Fencing & Office, and containing approximately 2.22 acres.
2. This property (Tract C) has been part of the Special Use Permit for a Contractor's Yard, Wholesale of Materials for Fencing & Office (CSU-84-31) which no longer applies to the subject property (Tract C), based upon the approval of this Special Use Permit for a Contractor's Yard & Mobile Home for a Watchman/Caretaker (CSU-20100009).
3. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
4. The request is not in significant conflict with the North Valley Area Plan, which indicates that there is non-residential development in some locations along Second St. in the North Valley.
5. This request is consistent with Resolution 116-86 in that changed neighborhood conditions in the vicinity of the site, including the development of heavy commercial and

light industrial businesses nearby the site, justify this land use change.

6. The request is consistent with the health, safety, and general welfare of the residents Bernalillo County.

Conditions:

1. Lighting shall be site specific. Shielded or cutoff features shall be provided so that no fugitive light crosses into adjacent lots. On-site lighting shall be shown on the revised site plan.
2. Storage of materials and equipment on the site shall be as follows:
  - a. There shall be no open storage of debris on the site.
  - b. Storage of materials and equipment shall be limited to the areas designated on the site plan (southeasterly portion of site).
  - c. There shall be no storage of hazardous materials or waste or inoperative vehicles on the site.
  - d. Storage of materials or equipment shall not exceed the maximum height of the fence or wall.
3. Landscaping for the Special Use Permit shall meet the standards outlined in Section 19 of the Zoning Ordinance, including a landscaped buffer along all streets of no less than fifteen (15) feet. Fifteen percent of all paved areas shall be landscaped.
4. All parking areas (trucks, automobiles) shall be paved in accordance with Section 21.d.2 of the County Zoning Ordinance.
5. Commercial vehicles shall be parked a minimum of 10 feet from the property line, as required by the Bernalillo County Fire Marshall's Office,
6. The applicants shall obtain a driveway permit or approval of access for the specific use on the site from the New Mexico Department of Transportation within six months of the final Board of County Commissioners' approval. A copy of the approval or permit shall be submitted to the Public Works Division and the Zoning, Building, Planning, and Environmental Health Department.
7. A final grading and drainage plan shall be submitted for review and approval to the Public Works Division within 60 days of the final Board of County Commissioner's approval. A copy of the approval shall be to the Zoning, Building, Planning, and Environmental Health Department
8. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
9. The Special Use Permit shall be issued for 15 years.
10. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the final approval of the Board of County Commissioners. The site plan will include

clarification of the following: access easement, building setbacks, parking calculations and sufficient spaces, landscaping, square footage of buildings, usage of buildings, location of storage, and drainage structures.

11. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (March 5, 2010)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff Recommends Approval